

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 3 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RUPA BALA, Dr.,

Plaintiff-Appellee,

v.

CHARLES HENRIKSON, Dr., an
individual; JOAQUIN CIGARROA, Dr., an
individual,

Defendants-Appellants,

and

OREGON HEALTH & SCIENCE
UNIVERSITY, an Oregon public
corporation,

Defendant.

No. 23-35034

D.C. No. 3:18-cv-00850-HZ
District of Oregon,
Portland

ORDER

Before: Lisa B. Fitzgerald, Appellate Commissioner.

Appellants filed a notice of intent to file publicly Volume 3 of the excerpts of record (Docket Entry No. 22). *See* 9th Cir. R. 27-13(f). Appellants' opposed motion (Docket Entry No. 25) to file under seal portions of Volume 3 is granted, subject to reconsideration by the panel assigned to decide the merits of this appeal.

The Clerk will unseal the notice (Docket Entry No. 22-1) and file publicly the motion to seal (Docket Entry No. 25-1), the response to the motion (Docket Entry No. 27), and the reply (Docket Entry No. 28). The Clerk will also file

publicly the opening brief, Volumes 1 through 2 of the excerpts of record, and the redacted Volume 3 of the excerpts of record (Docket Entry Nos. 20, 21, 25-2).

The Clerk will file under seal Volume 3 of the excerpts of record (Docket Entry No. 28-2). The Clerk will maintain Docket Entry No. 22-2 under seal.

Appellants' unopposed motion (Docket Entry No. 23) for an extension of time to file the opening brief (Docket Entry No. 20) is granted. The answering brief is due September 5, 2023. The optional reply brief is due within 21 days after service of the answering brief.